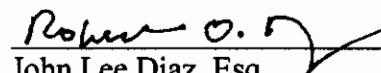


provided specific facts for a highly complex case. The clear need for deposition and documentary evidence is that the federal courts require a party to set forth with particularity the underlying facts in support of the attachment such as the failure to file grievances and arbitrate disputes, failure to include the membership of the plant in meetings, the lack of safety programs, the severing of fingers, the express language of discrimination, the constant fires, collective bargaining agreements favoring other workers over these, which cannot be reduced to workable affidavit formats. See *Digital Equipment v. Currie Enterprises*, 142 F.R. D. 16 (D. Mass. 1991) (detailed reporting of sales of computer components and business sales.)

The defendants overlook a case in suggesting that attachments are unavailable for a discrimination case. See *Rogriguez v. Montalvo*, 327 F. Supp. 2d 212 (D.Mass. 2004). Without the deposition transcripts and the documents, the prima facie case cannot be shown in an area of law like discrimination. The admissions of the defendant are in a deposition transcript of the union representative. Obviously, plaintiffs cannot get an affidavit from an adverse party like this union representative. At best, the defendants seem to be talking about an affidavit supporting an ex parte attachment in state court under Rule 4.1, but see *Digital, id.*, and *Iron Workers, id.*; however, this case is post-discovery.

The deposition transcripts are on each witness's (including that of defendant's) knowledge, information, and belief and the documents are agreed exhibits. So there is compliance with Rule 4.1. Perhaps the defendants wished to hide the admissions of the defendants that appear in the deposition of Lowell Alexander. The plaintiffs cannot procure his affidavit as an opposing party.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was
served upon the attorney of record for each other party
by mail (~~by hand~~) on 3/24/06

